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To:	Commissioner of Patents Centralized Fax Attn: Ex. Yelena Rossoshek	From:	Jeanette S. Harms, Esq. Phone: (408) 451-5907 Email: jharms@beverlaw.com
Fax:	(703) 872-9306	Pages:	29 (including Fax coversheet)
Phone:	(703)	Date:	November 11, 2004
Re:	Serial No.: 10/040,055 Filing Date: 12/31/2001 Applicant: James K. Faibo et al. Atty. Dkt. No.: NTI-030		

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● **Comments:**

**PLEASE SEE THE RESPONSE TO THE OFFICE ACTION DATED
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CONFIDENTIAL

Atty. Dkt. No: NTI-030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James K. Falbo et al.

Application No.: 10/040,055

Art Unit.: 2825

Filing Date: 12/31/2001

Examiner: Yelena Rossoshek

For: "Shape-Based Geometry Engine To Perform Smoothing And Other Layout Beautification Operations"

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date: November 11, 2004

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.
- STATUS:** Applicant is other than a small entity.
- EXTENSION OF TERM:** The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- FEE FOR CLAIMS:** The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)	LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	54	Minus	54	= 0	x \$18 =	\$0
Indep.	14	Minus	8	= 6	x \$88 =	\$528.00
First Presentation of Multiple Dependent Claim					+ \$300 =	\$0
					Total Addit. Fee	\$528.00

- FEE PAYMENT and DEFICIENCY:** Please charge Deposit Acct. 50-0574 the amount of \$528.00 for additional claims. If any additional extension and/or fee is required, also charge Account No. 50-0574.

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SIGNATURE OF PRACTITIONER

Jeanette S. Harms

Reg. No. 35,537

CERTIFICATE OF TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office.

Date: 11/11/2004 Signature: Rubens B. Barman

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NOV 11 2004

Applicant: James K. Falbo et al.
Assignee: Numerical Technologies, Inc.
Title: SHAPE-BASED GEOMETRY ENGINE TO PERFORM SMOOTHING
AND OTHER LAYOUT BEAUTIFICATION OPERATIONS
Serial No.: 10/040,055 File Date: December 31, 2001
Examiner: Yelena Rossoshek Art Unit: 2825
Docket No.: NTI-030(757)

Date: November 11, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO THE SECOND OFFICE ACTIONInitial Comments

Claims 1-54 are pending in the present application. Claims 11, 33, and 37-43 are rejected under 35 USC 102(e) as being anticipated by US Patent 6,523,162 (Agrawal).

Claims 1-10, 12-32, 34-36, and 44-54 are reinstated based on the new grounds of rejection. No claims are amended herein.